

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ILLINOIS

TERRY STONE,

Plaintiff,

v.

ADAN ABDIRAHMAN and
A&B EXPRESS, LLC,

Defendants.

AT LAW

No. 17-L-

27

FILED
SECOND JUDICIAL COURT

MAY 01 2017

[Signature]
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

COMPLAINT

COUNT I

Now comes the Plaintiff, TERRY STONE, by Sam C. Mitchell & Associates, his attorneys, and for Count I of his Complaint herein against the Defendant, ADAN ABDIRAHMAN, says:

1.

At all times herein mentioned, Interstate 57 southbound at Mile Post 95 was a paved roadway running generally in a northerly and southerly direction in Mt. Vernon, Jefferson County, Illinois, and the said roadway was a public roadway.

2.

At all times herein mentioned, the Plaintiff, TERRY STONE, was driving and operating a Ford pickup truck in a southerly direction on Interstate 57 southbound at the aforesaid location.

3.

At all times material herein, the Defendant, ADAN ABDIRAHMAN, was driving and operating a Freightliner semi truck with attached trailer in a southerly direction on Interstate 57 southbound at the aforesaid location.

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4.

On January 3, 2017, at about 7:14 p.m., while the vehicles were being driven and operated as stated hereinabove, the Defendant herein did drive the said Freightliner semi truck with attached trailer from the southbound lane of travel which he was occupying and into the southbound lane of travel in which the Ford pickup truck driven by the Plaintiff was occupying, thereafter forcibly striking the Plaintiff's vehicle.

5.

At the said time and place, the Defendant, ADAN ABSIRAHMAN did then and there commit one or more of the following careless and negligent acts or omissions to act thereby proximately causing, in whole or in part, the injuries and damages hereinafter stated:

- a. Failed to keep a proper lookout for other vehicles on the said roadway, when the Defendant knew or in the exercise of reasonable care should have known that someone would likely be injured thereby.
- b. Failed to reduce the speed of the said Freightliner semi truck with attached trailer when a special hazard existed with respect to other traffic, contrary to the provisions of 625 ILCS 5/11-601(a).
- c. Turned the said Freightliner semi truck with attached trailer from a direct course or moved to the left or right upon the roadway when such movement could not be made with reasonable safety, contrary to the provisions of 625 ILCS 5/11-804(a).
- d. Drove the said Freightliner semi truck with attached trailer from the lane he was occupying and into the lane occupied by the Ford pickup truck driven by the Plaintiff without first ascertaining that such movement could be made with safety, and when the Defendant knew or in the exercise of reasonable care should have known that someone would likely be injured thereby.
- e. Failed to drive the said Freightliner semi truck with attached trailer as nearly as practicable entirely within a single lane, contrary to the provisions of 625 ILCS 5/11-709(a).

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6.

At all times herein mentioned, the Defendant, ADAN ABDIRAHMAN, was driving and operating the said Freightliner semi truck with attached trailer as the agent, employee or servant of the Defendant, A&B EXPRESS, LLC, and at all times herein mentioned, the said Defendant was acting within the scope of his agency or employment.

7.

As a direct and proximate result, in whole or in part, of one or more of the foregoing careless and negligent acts or omissions to act, the Plaintiff herein was temporarily and permanently injured; Plaintiff has been prevented from engaging in his activities of normal life and will in the future be prevented from engaging in his activities of normal life; he has and will in the future suffer great pain and suffering as a result of the said injuries; he has and will in the future expend or incur large sums of money in endeavoring to become cured of the said injuries.

WHEREFORE, Plaintiff, TERRY STONE, prays judgment against the Defendant, A&B EXPRESS, LLC, in such sum as may be FAIR and JUST for the damages herein sustained, together with costs of suit.

TERRY STONE, Plaintiff

BY:



SAM C. MITCHELL & ASSOCIATES
Attorneys for Plaintiff

STATE OF ILLINOIS)
)
COUNTY OF FRANKLIN) SS.:

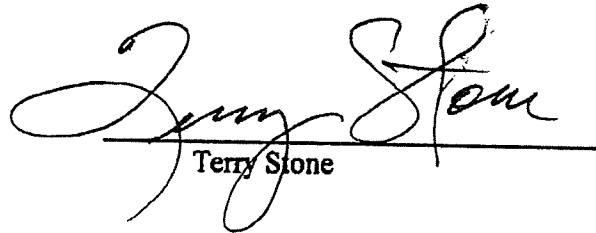
AFFIDAVIT PURSUANT TO SUPREME COURT RULE 222(b)

1.

The Undersigned Plaintiff, in accordance with Supreme Court Rule 222(b), states that the total amount of damages sought in this case exceeds \$50,000.

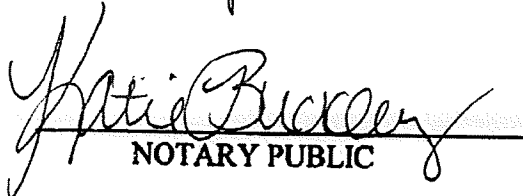
2.

Under penalties as provided by law pursuant S.H.A. 735 ILCS 5/1-109 of the Code of Civil Procedure, the undersigned certifies that the things contained in the foregoing instrument are true.


Terry Stone

SUBSCRIBED and SWORN to before me this

18th day of April, 2017.


NOTARY PUBLIC

FILED
JUN 12 PM 1:03
CLERK OF COURT
JUDICIAL CIRCUIT
CLERK OF COURT